IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION
CIVIL APPLICATION (St.) NO.29960 OF 2006
IN
WRIT PETITION NO.6586 OF 1999

Miss Vimal Namdeo Botle & Ors. ...Petitioners.
V/s.
Zilla Parishad, Thane & Ors. ...Respondents.

Shri A.A.Garge for the Petitioner Nos.1 and 2.
Shri C.J.Joshi for the Respondent (absent).

CORAM: B.H.MARLAPALLE &
J.H.BHATIA, JJ.
DATE : 20th December, 2006.

P.C.:

1. The petition came to be admitted on 31-1-2000 and it was directed to be heard alongwith Writ Petition No.591 of 1999. It came to be dismissed in default pursuant to the conditional order passed on 16-4-2003. This application has been filed for restoration of the said writ petition and as per the office report, the application is beyond time by 3 years and 211 days. The only reason given in support of the prayer for condonation of delay is that the petitioner was not aware about the conditional order and the advocate engaged by the petitioner did not inform that there were certain compliances.

2. In Writ Petition No.6586 of 1999, the main

prayer is for direction or a writ of mandamus under Article 226 of the Constitution against the respondent-Zilla Parishad to appoint the petitioners to the post of Laboratory Technician. It is evident from the averments made in the petition itself that the selection process was undertaken in the month of June, 1998 against the then existing 45 vacancies in various hospitals and medical centres of Thane Zilla Parishad and the petitioners claimed that they were on the select list. The reliefs sought for even otherwise, can not be considered at present by restoring the petition.

3. For all these reasons, we are satisfied that there is no case made out to condone the delay and, therefore, the prayer for delay condonation is hereby rejected.

...

(J.H.BHATIA,J.) **(B.H.MARLAPALLE,J.)**